

Office of Pipeline Monitoring  
U.S. Department of the Interior  
Bureau of Land Management  
411 W. 4<sup>th</sup> Avenue  
Anchorage, Alaska 99501

**CATEGORICAL EXCLUSION**

Serial No./Case File No.: AA-86564 CX Number: AK-993-06-0017

Project Title: Emergency Flood Control at Darling Creek

Field Office: Office of Pipeline Monitoring

Plan Name: South Central Plan

Applicant: Alyeska Pipeline Service Company

Address: P.O. Box 196660, Anchorage Alaska 99519-6660

LANDS INVOLVED

TOWNSHIP	RANGE	MERIDIAN	SECTION	SUBDIVISION	ACRES
15 S.	10 E.	Fairbanks	30	SE4	2.0

Prepared by: Stanley K. Brown Realty Specialist 7/11/06  
Signature Title Date

ENVIRONMENTAL COMPLIANCE. I have reviewed the proposed action and have determined the action will have no significant effect on the quality of the human environment, and will not involve unresolved conflicts concerning alternative uses of available resources. This action is listed in 516 DM 11.5 (E19) and is categorically excluded from the NEPA process. The twelve exceptions to a categorical exclusion as listed in 516 DM 2., Appendix 2 do not apply.

Reviewed by: Debra Heath Deputy AO 13 July 2006  
Signature Title Date

DECISION. I have reviewed the proposed action and determined that the proposed action is in conformance with the approved land use plan and that no further environmental analysis is required. It is my decision to implement the proposed action, as described, with the mitigation measures identified in the attached document.

: [Signature] A/13 July 06  
Signature Title Date

OFFICE OF PIPELINE MONITORING  
CATEGORICAL EXCLUSION/PLAN CONFORMANCE  
AK-993-06-0017

I. PROJECT DESCRIPTION (purpose, location)

The purpose of this Temporary Use Permit is to provide for the Emergency Creek Channel Control work at Darling Creek found at TAPS Milepost 573.6 in the immediate vicinity of Check Valve 89 and the Richardson Highway Bridge over Darling Creek (RHMP 231). The area impacted by the emergency work on the Creek is about 100 Feet Wide and 600 Feet long and is situated well within the floodplain of Darling Creek.

The emergency arose on the afternoon of June 22, 2006, when Darling Creek overflowed its banks and began cutting a fresh channel through the trees in the immediate vicinity of Check Valve 89, which only has about 4 feet of cover over the TAPS Pipeline. On the following day, Joe Correa and Stan Bronczyk talked with Peter Nagel about the emergency flood repairs that APSC was requesting that we authorize them to work under an emergency order in order to insure that the flooding waters were contained before some damage could be caused to the TAPS pipeline, and to Check Valve 89. To contain the flooding, APSC sent in a D-8 Cat to push up some berms out of the flood plain of Darling Creek. This was accomplished on the afternoon of June 23, but the Cat has stayed on site in order to reinforce the berms which needed to be re done on June 26 because the water levels again reached a flood stage. The long range plan for this problem is still being formulated by ASPC engineers but it will very probably be some sort of revetment structure which is finally settled upon.

No cultural resource clearance was requested of this action due to the emergency nature of the action and the fact that the work was totally done within the gravel flood plain of Darling Creek. Since the surface of the area already has been disturbed by the action of the creek and the fact that the Pipeline ROW in this vicinity is not within any area identified in the Programmatic Archaeological Agreement, a site specific Archaeological clearance was deemed to be unnecessary.

II. DETERMINATION OF EXCLUDABILITY

Action is ☐ Non-surface Disturbing ☒ Surface Disturbing

1. SUMMARY OF FINDINGS:

The proposed action qualifies as a categorical exclusion under 516 DM 11.5 (E19). The proposed action has been reviewed to determine if any of the twelve criteria for exception described in 516 DM 2, Appendix 2 apply.

2. DOCUMENTATION: Information Source (may include previous NEPA documents, fieldwork, other studies and reports, staff expertise, correspondence.

Criteria for Exception	NO	Yes
1. Have significant impacts on public health or safety.	X	
2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.	X	
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].	X	
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.	X	
5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.	X	
6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.	X	
7. Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the bureau or office.	X	
8. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.	X	
9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.	X	
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).	X	
11. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).	X	
12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).	X	

### III. The following Special Stipulations apply to Temporary Use Permit

1. The Temporary Use Permit (TUP) shall be subject to the terms, conditions and stipulations of the Agreement and Grant of Right-of-Way for the Trans-Alaska Pipeline between the United States of America and BP Pipelines (Alaska) Inc., et al. dated January 8, 2003, which became effective on January 24, 2004. It shall be provided, however, that in the event of a conflict, either express or implied, between any provisions of the Agreement and any provision of the TUP, such conflict shall be resolved in favor of this permit.
2. Primary access shall be limited to the existing roads, unless specifically authorized in writing.
3. The area encompassed by the TUP shall be staked prior to any further on the ground activities.
4. Any activities shall be conducted to minimize disturbance to existing vegetation except in the areas actually being excavated during the conduct of operations under this TUP.
5. Fuel storage is not allowed within the TUP area.
6. Temporary trash storage is not allowed in the TUP area. Waste materials will be removed from the TUP area to appropriate facilities on a regular basis.
7. The Authorized Officer may require that his authorized representative be on site during operations conducted under this TUP. The permit holder will notify the Valdez Office Manager of the BLM at 907-787-6701 during regular business hours during or immediately after to any future emergency work in the TUP area.
8. Alyeska shall inform and ensure compliance with these stipulations by its agents, employees, and contractors (including subcontractors at any level).
9. This TUP applies to lands under jurisdiction of the Bureau of Land Management.
10. The construction of any permanent revetment or guide bank structure must be applied for and issued by this office through a Right-of-Way Grant in advance of construction.